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HUMAN RESOURCES MANAGEMENT

Amendments to the Staff Rules

Report of the Secretary-General

1. The Staff Regulations of the United Nations provide in regulation 12.3 that the full text of provisional staff rules and amendments shall be reported annually to the General Assembly.

A. Consolidation of prior amendments

2. The Secretary-General has issued, as ST/SGB/Staff Rules/1/Rev.8, a consolidation of all the amendments to revision 7 of the 100 series of the Staff Rules which had been reported annually to the General Assembly from 1990 through 1994. 1/ The scales of pensionable remuneration and the salary scales set out in appendices A, B (Headquarters) and F (Headquarters) to the 100 series, as consolidated, are those in force as at 1 June 1995.

3. The Secretary-General also issued, as ST/SGB/Staff Rules/2/Rev.8, a consolidation of all the amendments to revision 7 of the 200 series of the Staff Rules which had been reported annually to the General Assembly from 1991 through 1994. 2/ The scales of pensionable remuneration and the salary scales set out in appendix I to the 200 series, as consolidated, are those in force as at 1 June 1995.

B. New amendments to the Staff Rules

1. 100 series

4. Staff rules 103.20, education grant, subparagraph (b), and 105.3, home leave, subparagraph (a), are amended to implement General Assembly resolution 49/241 of 6 April 1995, in which the Assembly decided that the repatriation grant and other expatriate benefits should be limited to staff who both work and reside in a country other than their home country.

5. Subparagraphs (d), (e) and (m) of staff rule 103.20, education grant, are amended to reflect the different rates applicable to education grant claims whether received in respect of children studying in the United States of America or from other parts of the world, except the currency areas specifically designated.

6. Subparagraphs (a) (i) and (f) of staff rule 104.14, Appointment and Promotion Board, are amended to clarify that the Appointment and Promotion Board does not make recommendations in respect of the appointment or promotion of candidates having successfully passed a competitive examination.

7. A new staff rule 104.15 clarifies that candidates successful in competitive examinations administered in accordance with General Assembly resolutions 33/143 of 20 December 1978, 35/210 of 17 December 1980 and 49/222 of 23 December 1994 are appointed at the P-1, P-2 and P-3 levels, or promoted from the General Service and related categories to the Professional category on the recommendation of Boards of Examiners.

8. Staff rule 104.15, medical examination, is renumbered as 104.16.

9. Staff rule 112.6, service and conduct reports, is amended to implement General Assembly resolution 49/222 A (I), in which the Assembly requested that the Performance Appraisal System apply to all staff, including at the Under-Secretary-General level.

10. The text of the amendments to staff rules 103.20, 104.14, 105.3 and 112.6, and the text of new staff rule 104.15 are reproduced in the annex to the present report.

2. 200 series

11. Staff rules 203.8, education grant, subparagraph (b), and 205.2, home leave, subparagraph (a), are amended to implement General Assembly resolution 49/241 of 6 April 1995 in which the Assembly decided that the repatriation grant and other expatriate benefits should be limited to staff who both work and reside in a country other than their home country.

12. Subparagraphs (d), (e) and (l) of staff rule 203.8, education grant, are amended to reflect the different rates applicable to education grant claims whether received in respect of children studying in the United States of America

or from other parts of the world, except the currency areas specifically designated.

13. Staff rule 207.21, insurance, subparagraph (b), is amended to clarify the insurance coverage applicable to all project personnel, including those in short-term status.

14. Staff rule 209.11, last day for pay purposes, subparagraph (v), is amended for clarification purposes and to bring it in line with the corresponding rule under the 100 series.

15. The text of the amendments to staff rules 203.8, 205.2, 207.21 and 209.11 is reproduced in the annex to the present report.

Notes

1/ In the consolidation process, a transitional measure contained in staff rules 109.4, 109.5 and 109.10, the full text of which was reported to the General Assembly in A/C.5/45/18, was deleted. The measure had been introduced to facilitate the transition to the new system of calculating separation payment, approved by the General Assembly in resolution 44/198 G, para. 1 (c), of 21 December 1989. The need for a transitional measure was removed as of 1 March 1992, when the prior scale of separation payments reached the level of, or exceeded, the base/floor scale now applied for separation payments.

2/ A transitional measure similar to that described in note 1 above was removed for the same reason from staff rules 209.5, 209.8 and 209.11, and appendix I to the 200 series.

ANNEX

Texts of amendments to Staff Rules and of new staff rule

A. 100 series

Chapter III

SALARIES AND RELATED ALLOWANCES

Rule 103.20

Education grant

Rule 103.20, as amended, reads as follows:

"Eligibility

"(b) A staff member who is regarded as an international recruit under rule 104.7, and who resides and serves at a duty station which is outside his or her home country, shall be entitled to an education grant in respect of each child in full-time attendance at a school, university or similar educational institution, provided the appointment or assignment is for a minimum of six months, or, if initially for a period of less than six months, is extended so that total continuous service is at least six months. If such a staff member is reassigned to a duty station within his or her home country, he or she may receive the education grant for the balance of the school year, not exceeding one full school year after his or her return from expatriate service. The Secretary-General may also authorize payment of the education grant, during mission service of not less than six months, to a staff member regarded under rule 104.6 as a local recruit at his or her normal official duty station. The grant shall not, however, be payable in respect of:

"...

"Amount of the grant

"(d) In the case of attendance at an educational institution outside the duty station, and unless educational expenses are incurred in designated currencies other than the United States dollar, in which case the maximum amounts shall be those established for each of the designated currencies, the amount of the grant shall be:

"(i) Where the institution provides board for the child, 75 per cent of the allowable costs of attendance and of the cost of board up to $13,000 a year ($16,900 if education takes place in the United States of America), with a maximum grant of $9,750 a year ($12,675 in the United States of America);

"(ii) Where the institution does not provide board, $2,900 ($3,770 if education takes place in the United States of America) plus 75 per cent of the allowable costs of attendance up to $9,133 a year ($11,873 in the United States of America), with a maximum grant of $9,750 a year ($12,675 in the United States of America).

However, in the case of staff members serving at designated duty stations, 100 per cent of boarding costs up to $3,000 a year may be reimbursed in respect of attendance at the primary or secondary levels, as an amount additional to the maximum grant of $9,750 a year ($12,675 in the United States of America).

"(e) In the case of attendance at an educational institution at the duty station:

"(i) The amount of the grant shall be 75 per cent of the cost of attendance up to $13,000 a year ($16,900 if education takes place in the United States of America), with a maximum grant of $9,750 a year ($12,675 in the United States of America);

"(ii) ...

"Special education grant for disabled children

"(l) ...

"(m) The amount of the grant shall be 100 per cent of the educational expenses actually incurred up to a maximum grant of $13,000 a year ($16,900 if educational expenses are incurred in the United States of America). If the disabled child is eligible for the regular education grant, the total amount payable under the two types of grant shall not exceed $13,000 a year ($16,900 if educational expenses are incurred in the United States of America) unless educational expenses are incurred in designated currencies other than the United States dollar, in which case the maximum amounts shall be those established for each of the designated currencies. 'Educational expenses' reimbursable under the special education grant shall comprise the expenses incurred to provide an educational programme designed to meet the needs of the disabled child in order that he or she may attain the highest possible level of functional ability."

Chapter IV

APPOINTMENT AND PROMOTION

Rule 104.14

Appointment and Promotion Board

Rule 104.14, as amended, reads as follows:

"(a) (i) An Appointment and Promotion Board shall be established by the Secretary-General to give advice on the appointment, promotion and review of staff in the General Service and related categories and in the Professional category, and on the appointment and review of staff at the Principal Officer level, except those specifically recruited for service with any programme, fund or subsidiary organ of the United Nations to which the Secretary-General has delegated appointment and promotion functions. However, advice on the appointment and promotion of candidates having successfully passed a competitive examination shall be given by Boards of Examiners, in accordance with staff rule 104.15. The Secretary-General shall also establish appointment and promotion committees and such other subsidiary panels as may be necessary to assist the Appointment and Promotion Board in the performance of its functions. The heads of the organs referred to above may establish boards whose composition and functions are generally comparable to those of the Appointment and Promotion Board to advise them in the case of staff members recruited specifically for service with those programmes, funds or subsidiary organs.

"(ii) ...

"(f) Functions of the Appointment and Promotion Board

"The function of the Appointment and Promotion Board shall be to make recommendations to the Secretary-General in respect of the following:

"(i) Appointment

"Proposed probationary appointments and other proposed appointments of a probable duration of one year or more, excluding the appointment of persons recruited specifically for service with a mission, and the appointment of candidates having successfully passed a competitive examination, in accordance with staff rule 104.15.

"(ii) ...

"(iii) Promotion

"a. The selection of staff members qualified for promotion, except for staff having successfully passed a competitive examination, in accordance with staff rule 104.15.

"b. ..."

A new staff rule has been added, as follows:

"Rule 104.15

"Competitive examinations

"(a) Boards of Examiners established by the Secretary-General shall ensure the regularity of the competitive examinations administered in accordance with conditions established by the Secretary-General.

"(b) Boards of Examiners shall make recommendations to the Secretary-General in respect of the following:

"(i) Appointment

"Appointment to P-1 and P-2 posts and to posts requiring special language competence shall be made exclusively through competitive examination. Appointment to posts at the P-3 level shall be made normally through competitive examination.

"(ii) Promotion

"Staff from the General Service and related categories, having successfully passed the appropriate competitive examinations, shall be promoted to the Professional category, within the limits established by the General Assembly. Such promotion shall be made exclusively through competitive examination."

Rule 104.16 (new number)

Medical examination

No change to the text of prior rule 104.15.

Chapter V

ANNUAL AND SPECIAL LEAVE

Rule 105.3

Home leave

Rule 105.3, as amended, reads as follows:

"(a) Staff members regarded as international recruits under rule 104.7 (a) and not excluded from home leave under rule 104.7 (c), who are residing and serving outside their home country and who are otherwise eligible, shall be entitled once in every two years of qualifying service to visit their home country at United Nations expense for the purpose of spending in that country a substantial period of annual leave. Leave taken for this purpose and under the terms and conditions set forth in this rule shall hereinafter be referred to as home leave."

Chapter XII

GENERAL PROVISIONS

Rule 112.6

Rule 112.6, as amended, reads as follows:

"Service reports

"The performance of every staff member, up to and including the level of Under-Secretary-General, shall be the subject of reports made annually by the staff member's supervisors. Such reports, which shall be shown to the staff member, shall form a part of his or her permanent cumulative record."

B. 200 series

Chapter III

SALARIES AND RELATED ALLOWANCES

Rule 203.8

Education grant

Rule 203.8, as amended, reads as follows:

"Eligibility

"(b) Project personnel in intermediate-term or long-term status, and who reside and serve at a duty station which is outside the home country, shall be entitled to an education grant in respect of each child in full-time attendance at a school, university or similar educational institution. If such project personnel are reassigned to a duty station within their home country, they may receive the education grant for the balance of a school year, not exceeding one full school year after their return from expatriate service. The grant shall not, however, be payable in respect of:

"...

"Amount of the grant

"(d) In the case of attendance at an educational institution outside the duty station, and unless educational expenses are incurred in designated currencies other than the United States dollar, in which case the maximum amounts shall be those established for each of the designated currencies, the amount of the grant shall be:

"(i) Where the institution provides board for the child, 75 per cent of the allowable costs of attendance and of the cost of board up to $13,000 a year ($16,900 if education takes place in the United States of America), with a maximum grant of $9,750 a year ($12,675 in the United States of America);

"(ii) Where the institution does not provide board, $2,900 ($3,770 if education takes place in the United States of America) plus 75 per cent of the allowable costs of attendance up to $9,133 a year ($11,873 in the United States of America), with a maximum grant of $9,750 a year ($12,675 in the United States of America).

However, in the case of project personnel serving at designated duty stations, 100 per cent of boarding costs up to $3,000 a year may be reimbursed in respect of attendance at the primary or secondary levels, as an amount additional to the maximum grant of $9,750 a year ($12,675 in the United States of America).

"(e) In the case of attendance at an educational institution at the duty station:

"(i) The amount of the grant shall be 75 per cent of the cost of attendance up to $13,000 a year ($16,900 if education takes place in the United States of America), with a maximum grant of $9,750 a year ($12,675 in the United States of America);

"(ii) ...

"Special education grant for disabled children

"(k) ...

"(l) The amount of the grant shall be 100 per cent of the educational expenses actually incurred up to a maximum grant of $13,000 a year ($16,900 if educational expenses are incurred in the United States of America). If the disabled child is eligible for the regular education grant, the total amount payable under the two types of grant shall not exceed $13,000 a year ($16,900 if educational expenses are incurred in the United States of America) unless educational expenses are incurred in designated currencies other than the United States dollar, in which case the maximum amounts shall be those established for each of the designated currencies. 'Educational expenses' reimbursable under the special education grant shall comprise the expenses incurred to provide an educational programme designed to meet the needs of the disabled child in order that he or she may attain the highest possible level of functional ability."

Chapter V

ANNUAL AND SPECIAL LEAVE

Rule 205.2

Home leave

Rule 205.2, as amended, reads as follows:

"(a) Subject to the conditions in staff regulation 5.3 and rule 207.11 and such others as may be prescribed by the Secretary-General from time to time, project personnel in intermediate- or long-term status who are residing and serving outside their home country and their eligible family members who are in the mission area shall be allowed to visit the home country at the expense of the Organization once every two years."

Chapter VII

TRAVEL AND REMOVAL EXPENSES

Rule 207.21

Insurance

Rule 207.21, as amended, reads as follows:

"(b) In the case of personal effects and household goods shipped under rule 207.20 (e), the United Nations will arrange for commercial insurance coverage of $16 per kilogram. For project personnel under rule 207.20 (f), the coverage will be up to a maximum of:

"..."

Chapter IX

SEPARATION FROM SERVICE

Rule 209.11

Last day for pay purposes

Rule 209.11, as amended, reads as follows:

"(v) In the case of death, the date on which entitlement to salary, allowances and benefits shall cease shall be the date of death, unless there is a surviving spouse or a dependent child. In this event the date shall be determined in accordance with the following schedule:

"..."